

REMARKS

It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner, and that these claims were in full compliance with the requirements of 35 U.S.C. §112. Changes to these claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 19-26 and amended claim 27 are in this application

Claim 27 was rejected under 35 U.S.C. §112, second paragraph. Claim 27 has been amended herein and withdrawal of the rejection is respectfully requested.

Claim 19 was rejected under 35 U.S.C. §102(b) as being anticipated by Kubo '659.

Independent claim 19 recites in part as follows:

“...a **semi-transparent cover** placed so that apparent eyes of said robot can be seen **only when said light emitting means flash**.” (Underlining and bold added for emphasis.)

In explaining the above 102 rejection the Examiner appears to rely on element 30 of Kubo to disclose the semi-transparent cover. It is respectfully submitted that such portion of Kubo as applied by the Examiner (hereinafter “Kubo”) does not appear to disclose the semi-transparent cover of claim 19. That is, Kubo appears to disclose that element 30 is a **transparent cover**. (See col. 4, line 68 of Kubo.) As such, the eyes of the robot in Kubo may still be seen even if the light emitting means behind the eyes do not flash, whereas, in claim 19, the eyes can only be seen through the **semi-transparent cover** if the light emitting means flashes. Accordingly, claim 19 is believed to be distinguishable from Kubo.

Claims 20, 21, and 27 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kubo in view of Ho '223.

Claims 20, 21, and 27 depend on claim 19, and due to such dependency, are believed to be distinguishable from Kubo. The Examiner does not appear to have relied upon Ho to overcome the above-described deficiencies of Kubo. Accordingly, claims 20, 21, and 27 are believed to be distinguishable from the applied combination of Kubo and Ho.

Claims 22-26 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kubo in view of Ho as applied to claim 20, 21, and 27 above, and further in view of Kamiya '772.

Claims 22-26 depend on claim 20 (which depends on claim 19), and due to such dependency, are believed to be distinguishable from the applied combination of Kubo and Ho. The Examiner does not appear to have relied upon Kamiya to overcome the above-described deficiencies of Kubo. Accordingly, claims 22-26 are believed to be distinguishable from the applied combination of Kubo, Ho, and Kamiya.

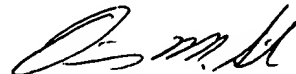
The Examiner has made of record, but not applied, a U.S. patent. The applicants appreciate the Examiner's explicit finding that this reference, whether considered alone or in combination with others, does not render the claims of the present application unpatentable.

It is to be appreciated that the foregoing comments concerning the disclosures in the cited prior art represent the present opinions of the Applicants' undersigned attorney and, in the event, that the Examiner disagrees with any such opinions, it is requested that the Examiner indicate where, in the reference or references, there is the basis for a contrary view.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable over the prior art, and early and favorable consideration thereof is solicited.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:

A handwritten signature in dark ink, appearing to read "D. M. Smid", is written over a horizontal line.

Dennis M. Smid
Reg. No. 34,930
(212) 588-0800